

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SAJ-01 OMB-01 NIC-01 IO-04 ACDA-05

CIAE-00 DODE-00 PM-03 H-01 INR-05 L-01 NSAE-00 NSC-05

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R 011856Z NOV 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6030

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

AMEMBASSY MOSCOW

USMISSION USBERLIN

AMEMBASSY BERLIN

C O N F I D E N T I A L BONN 17184

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, US, UR, GW

SUBJECT: BRUECKMANN CASE: SOVIET DIPLOMAT'S FURTHER
COMMENTS

REF: BONN 16542

1. DURING LUNCHEON WITH EMBOFF NOVEMBER L, SOVIET EMB
POLITICAL COUNSELOR RAISED MATTER OF CHANGE IN FRG LAW
ON INNER-GERMAN COOPERATION ON CRIMINAL MATTERS. HE
ASKED WHETHER EMBOFF HAD SEEN SOVIET DEMARCHE IN MOSCOW
ON SUBJECT. EMBOFF SAID THAT HE HAD AND THAT HE HAD
CONSIDERED IT FAIRLY LOW-KEY AND NOT PARTICULARLY
THREATENING IN TONE. HE NOTED THAT IT DID NOT SEEM
TO REFLECT THE SERIOUSNESS THAT THE SOVIET REP HAD
DESCRIBED IN THEIR PREVIOUS DISCUSSION (REFTEL).

2. SOVIET COUNSELOR SAID THIS WAS IN FACT THE CASE:
THE SOVIET EMBASSY'S REPORTING ON THE
BUNDESGERICHTHOF'S ROLE IN WEST BERLIN HAD STRESSED THAT
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THE EXPANSION OF COMPETENCE WAS MINOR AND THAT THE

COURT HAD EXERCIZED COMPETENCE BEFORE IN THE CITY. HE SAID HE THOUGHT THIS HAD LED THE SOVIET FOREIGN MINISTRY TO PLAY THE IMPORTANCE OF THE AFFAIR DOWN IN THE APPROACH TO THE ALLIES. SOVIET REP SAID HE DID NOT THINK THERE WOULD BE ANY DIFFICULTIES OVER THE AMENDMENT'S BEING TAKEN OVER IN WEST BERLIN, PROVIDED THERE WAS ADEQUATE ASSURANCE THAT THE LAW WOULD NOT GIVE THE FRG A GOVERNING ROLE IN WEST BERLIN. EMBOFF SAID THIS WOULD NATURALLY BE TAKEN CARE OF. SOVIET ADDED THAT FRG PRESS PLAY ON THE SUBJECT DID NOT HELP; EMBOFF REPLIED THAT NEITHER US OR SOVIETS COULD DO MUCH ABOUT THIS PROBLEM.

3. COMMENT. SOVIET REP SEEMED TO BE TRYING TO TAKE THE HEAT OUT OF THIS ISSUE. PERHAPS IT WILL FADE QUIETLY FROM THE SCENE ONCE THE ALLIED RESPONSE IS MADE TO THE SOVIETS. (FYI. BONN GROUP PRESENTLY PREPARING DRAFT TEXT. END FYI) THE QUESTION AS TO WHETHER THE APPARENT CHANGE IN THE SOVIET STAND MIGHT HAVE RESULTED FROM REALIZATION OF THE FACTS OF THE CASE, OR FROM SOVIET DESIRE NOT TO COMPLICATE MOSCOW'S RELATIONS WITH BONN JUST AFTER SCHMIDT'S VISIT IS OBVIOUSLY UNANSWERABLE. WE ARE INCLINED TO BELIEVE THE LATTER MAY HAVE BEEN THE MORE IMPORTANT MOTIVE.
HILLENBRAND

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